OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, February 12, 1959

February 12, 1959,

City Hall,

Lansing, Michigan.

The meeting was called to order by the Chairman, C. Bruce Kelley, February 12, 1959, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Kelley, Mutz, Obrecht, Rasmussen, Guyselman—7.

Absent—Mr. Petroff—1.

The minutes of the regular meeting of December 11, 1958, were approved.

An appeal by Mrs. Ruby Rickerd to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 1808 Jerome Street, was considered. The petitioner was present and stated that the granting of this appeal would be an improvement to the property since it would make the home warmer and provide additional room for the students in the nursery school. She reported that the enclosure would be made up of wood panels and unbreakable glass. A petition of protest signed by thirteen (13) people was filed. Mr. C. Douglas Barker, 1716 Jerome St.; Mrs. M. Crockett, 1800 Jerome St.; Mr. and Mrs. Harry Horn, 1804 Jerome St.; Mrs. Kathryn McCue, 1715 Jerome St., protested the enclosure of the front porch on the basis that it would permit increasing the number of children in the nursery school and cause further disturbance in the neighborhood. Mrs. F. Bleicher, 1712 Jerome Street, protested on the basis that Jerome Street is a narrow heavily traveled street which becomes seriously congested at the time the children are delivered to and picked up from the nursery school. Members of the Board felt that the drawing of the enclosure was inadequate. It was moved by Obrecht, supported by Mutz, that the appeal be tabled until we are given an adequate and complete drawing.

An appeal by the Edward W. Sparrow Hospital to erect an addition to the north center wing of Sparrow Hospital reducing front yard on Jerome St. to six (6) feet, ordinance requiring 20-ft. front yard area in the 1200 block of Jerome Street, was considered. The petitioner was represented by Louis Gordon, Assistant Director of Sparrow Hospital. There were no objections. Several residents in the area were present and inquired as to the location of the addition to the building. They had no objections. Mr. Gordon stated that a review of their plans and building site require a front yard reduction to 5-ft. 6-in. instead of 6-ft. The Board considered the possibility of street widening of Jerome Street. Mr. Gordon pointed out that the enlargement of the hospital requires enlargement of the hospital laundry facilities which cannot be provided for in their present building due to the construction of the building. It was moved by Goldstein, supported by Obrecht, that the appeal be granted to reduce the front yard on Jerome Street to 5-ft. 6-in. under (6) Section 36-12, of the Lansing Zoning Ordinance to provide necessary facilities in the existing hospital on this site as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Jerome Droste to erect an addition to front of house beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 320 Jones Street, was considered. The petitioner was present. There were no objections. It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance to provide necessary living room for their family as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Stanley Clark to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch and insert a 4 x 8 lighted sign in front, ordinance not permitting building beyond established set-back line

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or any illuminated sign at 1700 W. Saginaw Street, was considered. The petitioner was present and explained his drawing, stating that the ends of the porch would not be enclosed. There were no objections. The Board discussed the uses on either side of this property and within several blocks. It was moved by Mutz, supported by Rasmussen, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty and permit full utilization of the property as it will not adversely affect the adjoining property.

Motion carried.

An appeal by James Light to erect an addition to front of house extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1923 Roberts Lane, was considered. The petitioner was present and pointed out the need for additional room for living purposes. There were no objections. It was moved by Boucher, supported by Guyselman, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty and provide adequate living space as it will not adversely affect the adjoining property.

Motion carried.

An appeal by John Demmer to erect a storage building as per drawings on non-conforming use property, ordinance not permitting addition to non-conforming use property at 3525 Capitol City Blvd., was considered. The petitioner was present and pointed out that this property had been industrially zoned prior to annexation, and the pressing need for building immediately. The Secretary pointed out that this area is logically an industrial area under a long range plan but would take some time for the zoning to be accomplished. John DeVries, 4416 Grand River, spoke in favor of granting the appeal. It was moved by Mutz, supported by Guyselman, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty and permit immediate industrial expansion in harmony with a logical plan for the area.

Motion carried.

An appeal by Robert Bowles to remodel house for home occupation using more than 25% of floor area of one story, ordinance not permitting more than 25% use of any one floor area for home occupation, at 600 Cherry Street, was considered. The petitioner was present and pointed out that additional floor area was needed to properly carry on his home occupation. There were no objections. The Board discussed the lack of parking area which would be needed for a large number of patrons anticipated by the petitioner and its effect on adjoining property. It was moved by Obrecht, supported by Kelley, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty.

Motion lost.

The tabled appeal by Mrs. Ruby Rickerd to convert an open front porch into a glass enclosed porch extending beyond established set-back line but further than present open porch, ordinance not permitting building beyond established set-back line at 1808 Jerome Street, was considered. It was pointed out that Mrs. Rickerd has no further interest in this appeal since she has an appeal before the Board for an enclosed porch. It was moved by Guyselman, supported by Mutz, that the appeal be not granted because of no further interest of the petitioner.

Motion carried.

The meeting adjourned at 9:30 P.M.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, March 12, 1959

March 12, 1959,

City Hall,

Lansing, Michigan.

The meeting was called to order by the Chairman, C. Bruce Kelley, March 12, 1959, at 7:30 p.m.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Guyselman, Kelley, Mutz, Obrecht, Petroff, Rasmussen (8).

Absent—None.

An appeal by Frank Fedewa to erect a dwelling and reduce the rear yard from 30 ft. to 9.5 ft. on Stabler Street at the rear of 105 Mason Street, the ordinance requiring a 30 ft. rear yard in the "A" One Family Residence District, was considered. The petitioner was present and presented plans of the home he desires to build. Donald Robb, 110 Rouse Street, objected to dividing the rear yards thus cutting the distance between homes and eliminating some of the open area. James Horton, 116 Rouse Street, objected on the basis that a 9.5 ft. rear yard is insufficient. Mr. Fedewa pointed out that the square footage of the half lot would be 7200 square ft. which is larger than the average lot in the older sections of the city. After considerable discussion by the Board members regarding the effect that a building in the open area would have on the neighborhood, and the desirability of a home with a restricted back yard, it was moved by Guyselman, supported by Obrecht, that the appeal be granted under (6) Section 36-12 of the Lansing Zoning Ordinance to permit utilizing unused land.

Motion lost.

An appeal by Midway Realty to erect a house to be used as a sales office with necessary signs and parking area for a period not exceeding ten years, for the sale of new houses, approximately 1500, to be constructed in the Eton Downs and Holly Park Subdivisions only, the use of the house to revert to the zoning of the property at the end of ten years, ordinance not permitting sales offices in the "A" One Family Residence District in the 2700 block of Pleasant Grove Road (west side), was considered. Mr. Wm. Forgraves of the Midway Realty Company presented a drawing of the floor plan and elevation plans of the house he proposes to build and explained that approximately 10 to 15 salesmen would be working out of this building until the 1500 new homes in his overall development are sold. Mr. Robert Graves, 2701 Pleasant Grove Road, inquired as to why another building is necessary at this point since there is a construction building in Eton Downs. Mr. and Mrs. Wm. Goik, 2101 Victor Avenue, objected to the sign and parking area and commercializing property in a residential area. Mr. Jack Short, 2601 Pleasant Grove Road objected to the use of the property and Sunday sales. Mr. Joseph Whitney, 2108 Victor, expressed the opinion that if this appeal is granted other variances of use may come in. Mr. Milt Weinberger, 2711 Pleasant Grove Road, felt that the use of the land should be held to that permitted in the Zoning Ordinance. In reply to the question as to the type of house that would be constructed on this property, Mr. Forgraves reported that the cost would be approximately $30,000.00. After considerable discussion by the members of the Board, it was moved by Guyselman, supported by Obrecht, that the appeal be granted under (7) Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty due to the language of the Zoning Ordinance. After further discussion regarding possible other sites for this building and the time limit, it was moved by Guyselman, supported by Mutz, that the appeal be tabled for 30 days to permit further consultation with the appellant.

Motion Carried.

An appeal by William R. Murphy to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1028 Kelsey Street, was considered. The petitioner was present and stated that there will be no change in the roof line on the house. There were no objections. It was

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moved by Mutz, supported by Boucher, that the appeal be granted under (6) Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Mrs. Marie E. Locke to convert an open front porch in to an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established setback line at 910 Clark Street, was considered. The petioner was present. There were no objections. It was moved by Petroff, supported by Guyselman, that the appeal be granted under (6) Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

The meeting adjourned at 9:25 p.m.

VICTOR G. LEYRER,
Secretary.

OFFICIAL PROCEEDINGS OF THE POLICE AND FIRE BOARD OF THE CITY OF LANSING

Proceedings, March 12, 1959

March 12, 1959.

The Board met in regular session and was called to order by Chairman Rina Dell.

ROLL CALL

Present—Commissioners Ames, Mahoney, Anderton, Dell, Drolett and Noack—6.

Absent—Commissioners Smith and Rouse —2.

Councilman Potter also attended the meeting. Commissioners Smith and Rouse were excused from the meeting by the members present. The minutes of the previous meeting were approved as printed.

COMMUNICATIONS

A letter of commendation for the courteous assistance of Officer Strickland was submitted to the police department by Richard J. Brake.

Received and placed on file.

A letter regarding cars parked in parking zones was submitted to the Board by Paul E. Adams.

Received and placed on file.

A letter requesting reimbursement for eye glasses broken while arresting three subjects was submitted to the police department by Officer Hubert Furry.

By Commissioner Mahoney—

That Officer Furry be reimbursed for the damaged eye glasses. Supported by Commissioner Drolett.

Carried.

Letters of thanks were submitted to the Board and Chief Decker by Deputy Chief Simmons and Inspector Dick M. Smalley and to Chief Taylor by Det. Sgt. Claude Hollandsworth for being permitted to attend the Second Annual Arson Seminar in Detection and Investigation at the University of Michigan March 2, 3 and 4, 1959.

Received and placed on file.

A written request to represent Officer William Cochrane in a suit against Margaret Pasch for damages received in an accident while he was on duty was received by the Board from Attorney Thomas G. Sinas.

By Commissioner Mahoney—

That this request be forwarded to the

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, April 9, 1959

April 9, 1959.

City Hall,

Lansing, Michigan.

The meeting was called to order by the Chairman, C. Bruce Kelley, April 9, 1959, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Guyselman, Kelley, Mutz, Obrecht, Petroff, Rasmussen—8.

Absent—None.

An appeal by Thomas Kill to erect an addition to rear of house to 4½ feet from west side line, ordinance requiring 5 ft. side yard in the "A" One Family Residence District, at 712 Jessop Avenue was considered. The petitioner was present. Mrs. Lulu Collard, 708 Jessop Street, objected to the granting of the appeal on the basis that it is not necessary and that the ordinance should be enforced. Mr. Robert Stanaway, 714 Jessop Street, spoke in favor of the appeal stating that it would not extend further into the side yard than the present building and would be an improvement to the house and increase the value in the neighborhood. Mr. B. E. Ludwig, 713 Cavanaugh Road, also stated that he had no objection to the granting of the appeal. It was moved by Obrecht, supported by Rasmussen, that the appeal be granted under (6) Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty by providing adequate living room and will not adversely effect the adjoining property.

Motion carried.

An appeal by Herman F. Gibbons to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 1505 Knollwood Avenue, was considered. The petitioner was present. There were no objections. It was moved by Mutz, supported by Petroff, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Henry Fine to erect and use a building for sales and installation of auto mufflers, ordinance not permitting muffler installation in "F" Commercial District in the 4100 block of South Cedar Street, was considered. The petitioner was present and pointed out that this operation is now carried on in gasoline service stations in this area. Robert E. Brooks, 4204 S. Cedar Street, objected on the basis that this building would cut off his view and that noise and odors would be present. Mrs. Ann Jones, 4112 S. Cedar Street, stated that she owns a small grocery store north of property and said she did not oppose the rezoning on the basis that there would be no repairs or installations. Mr. Carmel Pizzo, 415 E. Cavanaugh Road, objected on the basis that this rezoning would decrease property values in the area and would be hazardous to children if worn out parts were discarded in the yard. Melvin Barnes, 301 Fenton Ave. objected to any thing except strictly commercial use. John Hoisington, 328 Fenton Avenue and Murrel Moon, 402 Fenton Avenue, both stated that they each have three children and were concerned about the possibility of a junk yard in connection with the business. Mr. Fine stated that all worn out parts would be kept inside of the building and disposed of regularly. It was moved by Guyselman, supported by Goldstein, that the appeal be granted under (7) Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty, and that the storage of scrap or parts outside of the buiding be not permitted, and that the surroundings of the building be kept in an orderly manner.

Motion carried.

An appeal by Louis Cascarelli to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building

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beyond established set-back line at 1933 S. Washington Ave., was considered. The petitioner was present. There were no objections. It was moved by Petroff, supported by Mutz, that the appeal be granted under (6) Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Ralph N. Cole to reduce rear yard area from 15 feet to 12.7 feet, ordinance requiring a 15 ft. rear yard in "D" Apartment District at 601 W. Shiawassee, was considered. The petitioner was present and stated that he would like to add a one room apartment to the existing four apartments. There were no objections. It was moved by Goldstein, supported by Obrecht, that the appeal be not granted because there is no hardship shown.

Motion carried.

An appeal by Art Shultz to erect a house within 19 feet of Palmer Street property line, ordinance requiring 25 feet set-back at 500 W. Holmes Road, was considered. The petitioner was present and explained that the basement had been built without a building permit during the illness of the petitioner. It was pointed out that the size of the proposed house was too large for the lot. Melvin Barnes, 301 Fenton Avenue, stated that he owns a lot to the north of the property in question on which he expects to build a house and would like the set-back maintained for the protection of the rest of the block. Richard Heaton, 3322 S. Palmer Street, objected because it would cut his view to Holmes Road. Patrick Kelly, 426 Berry Avenue, did not object to the appeal but wondered what would happen to the basement if the appeal was not granted. He was advised that the easterly six feet of the basement could be covered and used as an open porch. It was moved by Mutz, supported by Guyselman, that the appeal be not granted because no hardship is shown.

Motion lost.

It was moved by Obrecht, supported by Boucher, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance to relieve a hardship.

Motion lost.

An appeal by Ralph W. Perkins to erect a new house to 25 feet from front line, ordinance requiring 42 feet established set-back in the 1500 block Moores River Drive, was considered. The petitioner was present and presented a sketch of the property to point out that a proper house for this area could not be built within the buildable area required by ordinance. There were no objections. It was moved by Petroff, supported by Obrecht, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty due to the unusual shape and topography of the lot.

Motion carried.

An appeal by John Holland to erect an addition on garage to three feet from east side yard line, ordinance requiring 6½ feet side yard in the "B" One Family Residence District at 1415 Loraine Street, was considered. The petitiiner was present. There were no objections. It was moved by Petroff, supported by Guyselman, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty and retain an equal side yard as that of the adjoining property.

Motion carried.

The tabled appeal by Midway Realty Co. to erect a house to be used as a sales office with necessary signs and parking area for a period not exceeding ten years, for the sale of new houses, approximately 1500, to be constructed in the Eton Downs and Holly Park Subdivision only, the use of the house to revert to the zoning of the property at the end of ten years, ordinance not permitting sales offices in the "A" One Family Residence District in the 2700 block of Pleasant Grove Road, was considered. The Secretary reported on his conversation with the appellant to the effect that this building could not be built in Holly Park Subdivision since there will be no sewer or water in this area for two years, that the shopping center at Pleasant Grove and Holmes Road is too far removed to be practical for a sales office site and that he would be agreeable to a granting of the appeal for five years with renewal for an additional five years if needed. The petitioner stated that he owns property east, south and west of the location in question and is ready to start development since the sewer is now in. A letter from the City Attorney to the Board of Appeals regarding their jurisdiction in this matter was read. It was moved by Guyselman, supported by Rasmussen, that the advice of the City Attorney to the effect that the request made by the Midway Realty Company is beyond the scope of the Board of Appeals and is properly a matter of rezoning be followed and that no action be taken on this appeal.

Motion carried.

The meeting adjourned at 10:45 P.M.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, May 14, 1959

May 14, 1959

City Hall

Lansing, Michigan

The meeting was called to order by the Vice Chairman, John Petroff, May 14, 1959, at 7:30 P.M.

ROLL CALL

Present—Messrs. Boucher, Goldstein, Guyselman, Kelley, Mutz, Obrecht, Petroff, Rasmussen—8.

Absent—None.

The minutes of the regular meeting of April 9, 1959, were approved.

An appeal by Harry McElroy to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 210 W. Saginaw Street, was considered. Attorney Keyworth representing the petitioner stated that only the E. part of the porch is under consideration for enclosure. It was pointed out that the State Housing Code requires a three foot side yard on a frame building. There were no objections.

It was moved by Boucher, supported by Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by James Robison to erect a new house to 18 feet from east property line, ordinance requiring 20 ft. 8 in. set-back from Wildwood Ave. at 544 Irvington Avenue, was considered. The petitioner was present and showed pictures of the irregular topography of the lot which would require the driveway on the west side of the house. There were no objections.

It was moved by Goldstein, supported by Boucher, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Earl Seymour to convert the north ½ of front porch into part of a bedroom extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond average set-back line at 219 Clifford Street, was considered. The petitioner was present and pointed out the need for additional bedroom space in the existing house.

It was moved by Goldstein, supported by Obrecht, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty by providing necessary room.

Motion carried.

An appeal by Clarence Remington to move a garage reducing front yard area on Elmore Street side to five feet and construct an open porch reducing front yard area on Elmore 7½ feet, ordinance requiring 25 ft. set-back at 1930 Devonshire, was considered.

The petitioner was present, there were no objections.

It was moved by Rasmusson, supported by Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the shape of the lot.

Motion carried.

An appeal by G. T. Robinson to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 210 Custer Street, was considered. The petitioner was not present. There were no objections.

It was moved by Obrecht, supported by

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Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Jesse H. Blair to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 417 S. Butler Blvd., was considered. The petitioner was present. There were no objections.

It was moved by Goldstein, supported by Guyselman, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Ray Dunckel to erect a garage within 41 feet of the front property line, ordinance requiring 60 foot set-back from front property line at 1201 Porter Street, was considered. The petitioner was present and explained that due to the topography of the area a retaining wall has had to be built which would have to be removed to comply with the ordinance. There were no objections.

It was moved by Mutz, supported by Guyselman, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty.

Motion carried.

An appeal by Frank Spagnuolo to erect a new house to 20 feet from rear property line, ordinance requiring 25 feet rear yard in the 1500 block Lenore Ave., was considered. Edwin Thompson, Builder, represented the petitioner and presented a plot plan showing the irregular shape of the lot. There were no objections.

It was moved by Boucher, supported by Rasmussen, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the shape of the lot and plat restrictions.

Motion carried.

An appeal by Dr. L. R. McElmurry to erect an addition to building to reduce front yard from 20 feet to 16½ feet and use as a Doctors' clinic, ordinance requiring a 20 foot set-back and not permitting a Doctors' clinic at 209 N. Walnut Street, was considered. The petitioner was present. It was pointed out that this property is in the Capitol Development Area and a "gentlemen's agreement" between the State Administrative Board and the City Council calls for no change in zoning in this area. The petitioner pointed out that he had discussed this matter with the Mayor and City Attorney, who were of the opinion, since the existing building needs to be altered, that an appeal should be made to the Board of Appeals. The petitioner also pointed out that the practical use of this building should be for more than one Doctor. He pointed out that this building did not extend further than adjoining buildings and the use would be no different than present non-conforming uses in this block. On request from the Board, the minutes of the action of a previous appeal on this property were read. Discussion followed regarding the authority of the Board to grant this appeal.

It was moved by Mutz, supported by Kelley, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the property being in the Capitol Development Area.

Motion carried.

An appeal by Oscar DeSmith to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 217 W. Randolph Street, was considered. The petitioner was present. There were no objections.

It was moved by Guyselman, supported by Kelley, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Mary L. Coleman to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 2324 Teel Avenue, was considered. The petitioner was present. There were no objections.

It was moved by Kelley, supported by Boucher, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

The meeting adjourned at 9:00 P.M.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, June 11, 1959

The meeting was called to order by the Vice Chairman, John Petroff, June 11, 1959, at 7:30 p.m.

ROLL CALL

Present—Messrs. Goldstein, Kelley, Mutz, Obrecht, Petroff, Rasmusson—6.

Absent—Messrs. Boucher—Guyselman—2.

The minutes of the regular meeting of May 14, 1959, were approved.

An appeal by George Voorhies to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1213 Williams Street, was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by W. C. Baguley to erect a new home to 4 feet from south side property line, ordinance requiring 6 feet 6 inch side yard at 425 South Holmes St., was considered. Mr. Titus representing the petitioner presented plans of the proposed building. It was pointed out that the proposed building would always be an asset to the neighborhood and would not be detrimental to the adjoining properties.

It was moved by Kelley, supported by Rasmusson, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty by permitting the proper structure on the land.

Motion carried.

An appeal by Carlos H. Simmons to erect a garage within 3 feet of side yard property line, ordinance requiring 6 feet 6 inch side yard at 2017 Devonshire Ave., was considered. The petitioner was not present. There were no objections.

It was moved by Mutz, supported by Goldstein, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the shallowness of the lots.

Motion carried.

An appeal by C. E. Morris to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 223 East Hillsdale St., was considered. The petitioner was not present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by the Central Free Methodist Church to erect an addition to rear of house from 27 feet to 16 feet from rear property line, ordinance requiring 25 feet rear yard in "C" Two Family Residence District at 122 W. Jefferson St., was considered. Mr. Howison, Chairman of the Board of Trustees, appeared in favor of their appeal. S. M. Bower, 116 W. Jefferson St., appeared in favor of the appeal, stating that he felt it would improve the property.

After considerable discussion, it was moved by Goldstein, supported by Kelley, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty and provide adequate kitchen space.

Motion carried.

An appeal by Harold R. Palmiter to convert an open front porch into an enclosed front porch extending beyond established set-back line, but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1125 Edward St., was considered. The petitioner was present. There were no objections.

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It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by James A. Martin to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 414 N. Hayford St., was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6) Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by William Culp to erect a new home to 23 feet from rear property line, ordinance requiring 30 foot rear yard area in the "A" One Family Residence District at the N.E. corner of Bedford Rd. and Cooley Dr., was considered. The petitioner was present. There were no objections. Mr. Sayers represented the petitioner and pointed out the irregular shape of the lot.

It was moved by Goldstein, supported by Mutz, that the appeal be tabled for 30 days for further investigation.

Motion carried.

An appeal by William Limber to erect an addition to be used as a garage for parking cars in non-conforming use district, non-conforming use not permitting any additions or alterations at 2000-2006 West Saginaw St., was considered. The petitioner was present and explained that the present garage would be used as part of a circular drive around the property to permit customers to deposit and pick up laundry. He stated that this was necessary due to the removal of parking on West Saginaw St. and the absence of available land for off-street parking. Mervin Dosh, 721 Durant St.; and John Muir, 713 Durant St., had no objections.

It was moved by Kelley, supported by Goldstein, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty and permit necessary alterations to present non-conforming use.

Motion carried.

An appeal by Cecil Hethorn to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1223 Bensch St., was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by the Bethlehem Lutheran Church to erect an addition to church to reduce front yard at Ray St., to 13 feet 4 inches and rear yard to 16 feet, ordinance requiring 20 feet set-back from Ray St. to 25 feet in the rear yard at the N.E. corner of Mt. Hope and Ray St., was considered. Mr. Otto Kern represented the Board of Trustees of the church and stated that the attempts have been made to purchase additional property which is impossible at this time. He presented drawings of the proposed structure which is in harmony with the present church building.

It was moved by Mutz, supported by Kelley, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty and permit the most efficient use of the property.

Motion carried.

An appeal by John Brattin to move a house on a lot which has 2508 square feet instead of required 4,000 square feet, ordinance requiring 4,000 square feet lot area in the "B" One Family Residence District in the 1100 block of Camp St., was considered. The petitioner was not present.

It was moved by Obrecht and supported by Kelley, that the appeal be not granted, because of no further interest of the petitioner due to inability to acquire the property.

Motion carried.

An appeal by James Cahill to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 101 West Dwight St., was considered. The petitioner was present. There were no objections.

It was moved by Obrecht, supported by Mutz, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

The meeting adjourned at 9:30 p.m.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, July 9, 1959

July 9, 1959

City Hall

Lansing, Michigan

The meeting was called to order by the Chairman, C. Bruce Kelley, July 9, 1959, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Kelley, Mutz, Obrecht, Petroff, Rasmusson —7.

Absent—Mr. Guyselman—1.

The minutes of the regular meeting of June 11, 1959, were approved.

It was moved by Goldstein, supported by Mutz, that C. Bruce Kelley be elected as Chairman for the term of one year.

Motion carried.

It was moved by Boucher, supported by Petroff, that William E. Rasmusson be elected as Vice-Chairman for the term of one year.

Motion carried.

It was moved by Petroff, supported by Mutz, that Victor G. Leyrer be elected as Secretary for the term of one year.

Motion carried.

An appeal by Claude Carney to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 303 Douglas Avenue, was considered. The petitioner was present. There were no objections.

It was moved by Goldstein, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Hazel Currier to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 506 S. Hayford Street, was considered. The petitioner was present. There were no objections.

It was moved by Goldstein, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by James W. Rabbage to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 909 Smith Avenue, was considered. The petitioner was present. There were no objections.

It was moved by Goldstein, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Leslie A. Seidell to erect an addition to north property line, ordi-

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nance requiring 4 feet side yard at 3314 S. Cedar Street, was considered. The petitioner was present. There were no objections.

It was moved by Petroff, supported by Obrecht, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to zoning in this area still being in a transitional stage.

Motion carried.

An appeal by Bacil Bowlin to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1004 Johnson, was considered. The petitioner was not present. There were no objections.

It was moved by Goldstein, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion Carried.

An appeal by John Clear to erect a masonry building to replace present condemned non-conforming building ordinance not permitting construction of non-conforming use building at 925 S. Grand, was considered. Mr. H. J. Johnson, 1004 Clear Street, and Richard T. Abbott, 1011 S. Grand Avenue, appeared to protest the trucking to and from the property in question. Mr. Diller, 215 E. Hazel Street; Mr. Baldwin, Manager of the Miller Trucking Company; Mr. Frank Smalley, 927 S. Grand Ave.; and Mrs. Don Warsop, 129 E. Hazel Street, appeared in favor of the appeal as they felt it would improve the neighborhood and reduce the fire hazard. The petitioner was present and presented a plot plan of the property showing the projected replacement of the present building. After discussion regarding the most appropriate use for this land, it was moved by Mutz, supported by Petroff, that the appeal be tabled for study and report from the Planning Board.

Motion carried.

An appeal by Frank Beaudoin to erect a home within 6 ft. 2 in. of the north side yard, ordinance requiring 8 ft. side yard at Belaire & Hampden Drive, was considered. The petitioner was present. There were no objections. He explained that it was necessary to turn the house slightly to line up with the street and still leave 36 ft. between the houses.

It was moved by Goldstein, supported by Obrecht, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the alignment of the lot and street.

Motion carried.

An appeal by the Board of Water & Light to erect a new office building to height of 158 feet, ordinance limiting height of buildings to 120 feet in Central Business District in the 100 block W. Ottawa Street (on South side), was considered. The petitioners were not present. There were no objections.

It was moved by Obrecht, supported by Boucher, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the present requirement of the ordinance now under study for modification.

Motion carried.

The tabled appeal by William Culp to erect a new home to 23 feet from rear property line, ordinance requiring 30 feet rear yard area in the "A" One Family Residence District at the N.E. corner of Bedford Road and Cooley Drive, was discussed. Mr. Culp again appeared before the Board to explain the proposed location of the house on the irregularly shaped lot, and the availability of seven (7) feet of the adjoining lot if the appeal is not granted.

It was moved by Petroff, supported by Obrecht, that the appeal be granted to relieve a practical difficulty due to the irregular shape of the lot.

Motion carried.

The meeting adjourned at 10:00 P.M.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, August 13, 1959

August 13, 1959.

The meeting was called to order by the Chairman, C. Bruce Kelley, August 13, 1959, at 7:30 p.m.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Kelley, Mutz, Obrecht, Petroff, Rasmusson —7.

Absent—Mr. Guyselman—1.

The minutes of the regular meeting of July 9, 1959, were approved.

An appeal by Russell Harrison to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1033 Morgan Street, was considered. The petitioner was present. There were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Buildng Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Donald Rutter to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 2414 Kensington Rd., was considered. Mr. Arthur G. Rossman, 2401 Kensington Road; and Mr. Lyna King, 2345 Kensington Road; appeared to inquire as to the possibility of commercial use of this property. They were informed that the property is zoned residential use. Mr. Rutter assured them that he was going to use the front porch for family use only. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Frances Vincent to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1111 Persons Court, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Gilbert Putnam to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1918 Thompson Street, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Vida Pontz to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1317 N. Walnut Street, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the

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Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Harold L. Sage to convert an open front porch into a glass enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1204 Alsdorf Street, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Max and Myrtle Cady to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permittng building beyond established set-back line at 511 S. Magnolia Street, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by the Shell Oil Company to erect a gasoline service station to south property line, ordinance requiring a 15 feet rear yard at the S.W. corner of Potter and Cedar Streets, was considered. Mr. R. E. Wiersman of the Shell Oil Company presented the plans for the station. Mr. Roy Gearhart, 401 Cox Blvd., appeared and questioned whether or not the property would be so constructed that the water would run off on his property. Mr. Thompson of the Lansing Farm Products appeared to ascertain which yard area was being encroached upon. There were no objections. It was moved by Petroff, supported by Rasmusson, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the shape of the lot.

Motion carried.

An appeal by William B. Wotring to erect and use a building for sales and installation of auto mufflers only, ordinance not permitting muffler installation in "F" Commercial District at 2213 East Michigan Avenue, was considered. Mr. Howard Campbell representing his mother, Mrs. Lola Campbell, 710 McKeon, objected to the noise, fumes, trash and junk that might be there. Mr. Wotring pointed out that the mufflers would be boxed and there would be no trash. He also stated that he had told Mrs. Campbell that if the fumes or noise would become too bad, he would install window fans or air conditioning in his building to eliminate the problem. He also said that they had arranged to keep the building bordering Mrs. Campbell's property painted. Mr. Robert Chase and Mr. Frank King, represented the Olivet Baptist Church and objected to the noise and traffic hazard. Mr. Wotring pointed out that a number of other businesses in the area, such as gas stations and garages, were carrying on similar operations. It was moved by Goldstein, supported by Petroff, that the appeal be granted under (7), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty.

Motion carried.

An appeal by Howard VanVlerah to erect a single family residence reducing the East side yard from 9 feet to 8 feet 4 inches, ordinance requiring 9 feet in side yard at 3115 North Grand River Avenue, was considered. The petitioner was present, there were no objections. Mr. VanVlerah stated that the reason for the 8 inch reduction is the 4 inch brick veneer wall on each end. It was moved by Mutz, supported by Petroff, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty.

Motion carried.

An appeal by Floyd F. Herring to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 815 Clark Street, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Dr. J. Earl McIntyre to erect a one story addition reducing front yard on Hillsdale Street, from 16 feet to 12 feet, ordinance not permitting building beyond established set-back line at 600 S.

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Grand Avenue, was considered. The petitioner was not present, there were no objections. It was pointed out that illness of the occupant is the principle reason for the appeal. It was moved by Mutz, supported by Goldstein, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely effect the adjoining property.

Motion carried.

An appeal by Jurone Van Sickle to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1314 Alsdorf Street, was considered. The petitioner was present, there were no objections. It was moved by Rasmusson, supported by Obrecht, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it it will not adversely affect the adjoining property.

Motion carried.

The tabled appeal by John Clear to erect a masonry building to replace present condemned non-conforming building, ordinance not permitting reconstruction of non-conforming use building at 925 S. Grand Avenue, was considered. A letter from the Planning Board, advising the Board of Appeals that in their opinion, the best use for the property is an apartment use which is its present zoning, was read. It was moved by Boucher, supported by Mutz, that the appeal be not granted.

Motion carried.

The meeting adjourned at 9:05 p.m.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, September 16, 1959

The meeting for the Public Hearing was called to order by the Vice Chairman, William Rasmusson, September 10, 1959, at 7:30 p.m.

Because of the absence of Messrs. Boucher, Goldstein, Kelley, Obrecht, the meeting was recessed after the hearing until the Special Meeting of September 16, 1959, at 12:00 Noon, called to order by Chairman C. Bruce Kelley.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Mrs. Houck, Kelley, Mutz, Petroff, Rasmusson—7.

Absent—Mr. Obrecht—1.

The minutes of the regular meeting of August 13, 1959, were approved.

An appeal by Fred Worgul to erect a garage reducing set-back from 60 feet to 20 feet, ordinance requiring 60 feet set-back for detached garage at 215 Everettdale Avenue, was considered.

The petitioner was present and stated there are other homes on the same street with only 15 feet set-back. There is not enough room to put other homes on Potter Street.

Mr. Claude Lapp supported the petitioner. It was pointed out that the home on the same street faces the cross street.

Mr. Lardie, 225 W. Potter, and Mr. Owens, 200 Potter, opposed the granting of the appeal stating that they do not want to have Potter Street have the appearance of an alley. Their homes are directly across from the proposed garage, however, they are agreeable to the construction of the garage further back from the street.

It was moved by Rasmusson, supported by Houck, that the appeal be tabled to permit working out a set-back satisfactory to the petitioner and the neighbors.

Motion carried.

An appeal by Russell Shipman to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1012 Farrand Street, was considered.

The petitioner was present, there were no objections.

It was moved by Petroff, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Joe Schafer to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present porch, ordinance not permitting building beyond established set-back line at 912 Smith Avenue, was considered.

The petitioner was not present, there were no objections.

It was moved by Petroff, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by David McCauley to erect a garage to 30 feet from front property line, ordinance requiring a 60 ft. set-back for detached garage at 2241 Cumberland Road, was considered. A letter from Mr. James MacManus, citing deed restrictions and protesting the appeal was read. Mr. Grant Longenecker, 2211 Cumberland Road referred to the deed restrictions and stated that the garage would cut off the view and possibly be a traffic hazard. Mrs. James MacManus, 2251 Cumberland Road, also protested the appeal stating that it would close in their property and cut off their view.

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The petitioner was present and stated that it was impractical to build the garage closer to the present building because of the permanent steps going to the rear of the yard.

It was moved by Petroff, supported by Boucher, that the appeal be not granted because of neighborhood objections and no hardship shown.

Motion carried.

An appeal by Virgil Townsend to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 707 E. Willard Street, was considered.

The petitioner was not present, there were no objections.

It was moved by Petroff, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Lewis Holcomb to convert an open front porch into a glass enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 2312 Sunnyside Avenue, was considered.

The petitioner was present, there were no objections.

It was moved by Petroff, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Derwood L. Boyd to erect an addition to front of building to property line, ordinance requiring 20 foot set-back in "E" Apartment-Shop District at 116 W. Lapeer Street, was considered.

The petitioner was present and presented drawings of the proposed addition to the building and pointed out the need for additional office space. He also stated that the properties to the East and West have been built to the property line.

There were no objections.

It was moved by Goldstein, supported by Boucher, that the appeal be granted under (6) Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty in harmony with the surrounding properties.

Motion carried.

An appeal by Ralph Tompkins to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present porch, ordinance not permitting building beyond established set-back line at 607 N. Foster Street, was considered.

It was moved by Petroff, supported by Boucher, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

There were no objections.

Motion carried.

A copy of a letter from Richard Hermann to the City Council and from the City Attorney to Richard Hermann regarding the proper classification for a slenderizing studio at 827 N. Washington Avenue was read and placed on file.

The meeting adjourned at 1:15 p.m.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, October 8, 1959

October 8, 1959

City Hall

Lansing, Michigan

The meeting was called to order by the Chairman, C. Bruce Kelley, October 8, 1959, at 7:30 p.m.

ROLL CALL

Present—Messrs. Goldstein, Mrs. Houck, Kelley, Mutz, Obrecht, Petroff—6.

Absent—Messrs. Boucher, Rasmusson—2.

The minutes of the regular meeting of September 16, 1959, were approved.

An appeal by Louis Diamanti to permit the extension of "F-1" Commercial Zoning District to the South property line, ordinance not permitting Commercial use in "C" Two Family Residence District at 615 N. Butler Street, was considered.

The petitioner was present and stated that it is his intention to use the property as an office.

Mr. Mike Wickanheiser, 728 Bates Street, represented his sister-in-law, Mrs. Wilson of 611 Butler Street, objected to moving the "F" Commercial zone line to the South on the basis that if the property were no longer used for office purposes and used commercially, it would damage Mrs. Wilson's property. He also expressed concern over use of the joint driveway on the South of the property in connection with the commercial business, and inquired as to the possibility of limiting the use of the prop- driveway open. The Board discussed the possibilty of limiting the use of the property to professional office use.

It was moved by Goldstein, supported by Obrecht, that the appeal be tabled and an opinion be obtained from the City Attorney as to whether or not the commercial use can be limited to the office type of use, if the "F-1" Commercial line is moved to include all of the property.

Motion carried.

An appeal by Dale and Francis Myers to erect an addition to rear of house to 5 feet of West property line, ordinance requiring 6.21 feet side yard at 2719 Lafayette Avenue, was considered.

The petitioner was present—there were no objections.

It was moved by Mutz, supported by Petroff, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty since the original house was built to 5 feet of the property line under the township building code and will not adversely affect the surrounding property.

Motion carried.

An appeal by Paul Kadelsik, to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 117 N. Pennsylvania Avenue, was considered.

The petitioner was present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Carl and Helen Matsuda to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 1429 Sheldon Street, was considered. The petitioner was present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing

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Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Elmer G. Pixley to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present porch, ordinance not permitting building beyond established set-back line at 511 S. Fairview Avenue, was considered.

The petitioner was present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Clarence A. Watt to add an enclosed porch 3 feet beyond present open porch, ordinance not permitting building beyond established set-backline at 1010 W. Saginaw Street, was considered.

The petitioner was present and explained the need for additional room pointing out that the commercial building to the east is built 8 feet beyond the set-back line and that the present porch extends 7 feet beyond the set-back.

There were no objections.

It was moved by Goldstein, supported by Mutz, that the appeal be granted to add an enclosed porch to 1 foot beyond the present open porch, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Ora Hidey to permit the employment of one Beauty Operator for one year only in connection with home occupation, ordinance not permitting employment of anyone other than immediate family in home occupation at 1228 Cleveland Street, was considered. Mrs. Hidey explained that the Board of Cosmetology rules require that she employ an experienced operator for a period of one year since she has just completed her training. She also pointed out that she is not able to gain her experience away from the home because of the infirmity of her mother.

There were no objections.

It was moved by Petroff, supported by Houck, that the appeal be granted for one year only, under (7) Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty.

Motion carried.

An appeal by Roy Stevens to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present porch, ordinance not permitting building beyond established set-back line at 1118 Pierce Road, was considered.

The petitioner was not present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Lora Potter to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 1212 Mechanic Street, was considered.

The petitioner was not present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing as determined by the Building Commissioner is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Tom Vukick to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 2220 Strathmore Road, was considered.

The petitioner was present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing as determined by the Building Commissioner is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

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An appeal by Skonder Ellis to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 2109 S. Logan Street, was considered.

The petitioner was present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Arthur H. Klepper, to alter the front of present non-conforming gasoline filling station, ordinance not permitting alterations to non-conforming uses at 602 W. St. Joseph Street, was considered. Mr. Klepper stated that it was his desire to make the building more attractive. It was pointed out that the property is in an apartment area and apparently not in the proper location for a gasoline filling station.

It was moved by Goldstein, supported by Mutz, that the appeal be granted under (7), Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty and permit improvement of the appearance of a non-conforming building.

Motion carried.

An appeal by Leonard Frantz, to erect a vestibule entrance on front of house beyond established set-back line, ordinance not permitting building beyond established set-back line at 2204 Forest Avenue, was considered.

The petitioner was present, there were no objections.

It was moved by Houck, supported by Petroff, that the appeal be granted providing a window is placed on both the North and South side of the vestibule, under (6), Section 36-12 of the Lansing Zoning Ordinance to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Richard D. Lambert to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open porch at 129 S. Foster Avenue was considered.

The petitioner was present, there were no objections.

It was moved by Obrecht, supported by Petroff, that the appeal be granted, providing adequate footing as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

Mr. Fred Worgul appeared in connection with his tabled appeal to erect a garage reducing set-back from 60 feet to 20 feet, ordinance requiring 60 foot set-back for detached garage at 215 Everettdale Avenue.

A discussion followed as to the set-back which should be required to properly protect the neighborhood, and also to permit an erection of a garage.

It was moved by Petroff, supported by Houck, that the appeal be granted reducing the set-back on the Potter Street side from 60 feet to 30 feet, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty due to the irregular shape of the lot.

Motion carried.

The meeting adjourned at 9:30 p.m.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, November 12, 1959

November 12, 1959

City Hall

Lansing, Michigan

The meeting was called to order by the Chairman, C. Bruce Kelley, November 12, 1959, at 7:30 P.M.

ROLL CALL

Present — Mrs. Houck, Messrs. Kelley, Mutz, Obrecht, Petroff, Rasmusson—(6).

Absent—Messrs. Boucher, Goldstein—(2).

The minutes of the regular meeting of October 8, 1959, were approved.

An appeal by G. H. Ecker to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 2418 Teel Avenue, was considered. The petitioner was present, there were no objections. It was moved by Mutz, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Vernon J. Andrews to use property for professional offices—move inside partitions—alter front of building, ordinance not permitting professional offices in "D-M" Multiple Dwelling District at 416 West Ionia Street, was considered. The petitioner was present and stated that he believes the Board of Appeals has jurisdiction to grant relief of their hardship. He also stated that refusal of the Planning Board to grant the recommendation for rezoning of this property is an arbitrary taking of their property rights. On direct questioning as to the ownership of this property, Mr. Andrews stated they have an option to purchase, subject to being able to use it for office purposes. Mr. Anson Reid, 1321 Ohio Ave., appeared and stated that he thought the appeal should be allowed on this property, and that his own property, on Walnut St., should be allowed to be used for similar purposes. Mr. Carlton Carr, 301 N. Walnut, inquired as to the use of this property and pointed out that there is only one office type use in their block which is a permitted use. Mr. Andrews pointed out a non-conforming use in the next block west. Mr. Carr inquired about the plans for the building and expressed concern of the possible extension of the building, and was informed that it would remain as it is. A letter from the City Attorney to the Planning Board regarding the authority of the Planning Board and the Board of Appeals on this matter was read. Mr. Obrecht disqualified himself from voting on this matter because of a small financial interest. It was moved by Mutz, supported by Rasmusson, that the appeal be tabled because of lack of a quorum for any favorable action.

Motion carried.

An appeal by W. H. Martini to erect an enclosed porch 2-ft. 4-in. beyond present porch ordinance not permitting building beyond established set-back line at 1126 S. Grand Street, was considered. The petitioner was present, there were no objections. It was moved by Mutz, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by F. C. Spratt to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 918 Smith Avenue, was considered. The petitioner was not present, there were no objections. It was moved by Mutz, supported by Petroff, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing

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Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Robert D. Senek to erect a garage 25 feet from Roberts Street front property line, ordinance requiring 60 foot set-back for detached garage at 633 Kendon Drive, was considered. The petitioner was present and said the slab for the garage had already been laid. Phil Mannino, 632 Kendon; Robert W. Hartigan, 629 Kendon; Albert Smith, 631 Roberts Street; and L. B. Edgington, 637 Roberts Street; spoke in favor of granting the appeal. Discussion among the Board members brought attention of the set-back of the garages on similar properties in this block. It was moved by Petroff, supported by Obrecht, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to reduce the set-back from the required 60 feet to 45 feet.

Motion carried.

An appeal by Margaret Morgan to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1707 South Washington Avenue, was considered. The petitioner was present, there were no objections. It was moved by Mutz, supported by Rasmusson, that the appeal be granted, providing adequate footing as determined by the Building Commissioner, is provided, under (6), Section 36-12, of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

The tabled appeal by Mrs. Ruby Rickerd to convert an open front porch into an enclosed front porch extending beyond established set-back line but no further than present open porch, ordinance not permitting building beyond established set-back line at 1808 Jerome Street, was again considered. The petitioner was not present, there were no objections. It was moved by Mutz, supported by Houck, that the appeal be not granted, because of no further interest on the part of the petitioner.

Motion carried.

The tabled appeal by Louis Diamanti to permit the extension of "F-1" Commercial Zoning District to the South property line, ordinance not permitting Commercial use in "C" Two Family Residence District at 615 North Butler Street, was again considered. The petitioner was not present, there were no objections. A letter from the City Attorney regarding this matter was read. It was moved by Mutz, supported by Obrecht, that the appeal be granted under (2), Section 36-12 of the Lansing Zoning Ordinance, restricting the use to "D-1" Professional Office use.

Motion carried.

The meeting adjourned at 9:20 P.M.

VICTOR G. LEYRER,
Secretary.

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OFFICIAL PROCEEDINGS OF THE BOARD OF APPEALS OF THE CITY OF LANSING

Proceedings, December 10, 1959

December 10, 1959

City Hall

Lansing, Michigan

The meeting was called to order by the Chairman, C. Bruce Kelley, December 10, 1959, at 7:30 P.M.

ROLL CALL

Present — Messrs. Boucher, Goldstein, Mrs. Houck, Kelley, Mutz, Obrecht, Petroff, Rasmusson—(8).

Absent—None.

The minutes of the regular meeting of November 12, 1959, were approved.

An appeal by Thomas G. Crofts to convert a carport into two bedrooms and bath reducing front yard area from 23-ft. 9-in. to 8-ft. 6-in., ordinance requiring 20-ft. set-back in "C" Two Family Residence District at 833 Fayette Street, was considered. The petitioner was present and explained his difficulty because of the location of the building on the odd shaped lot. There were no objections. It was moved by Boucher, supported by Petroff, that the appeal be granted under (6), Section 36-12, of the Lansing Zoning Ordinance to relieve a practical difficulty due to the irregular shape of the lot.

Motion carried.

An appeal by Palmer & Thompson to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front proch, ordinance not permitting building beyond established set-back line at 708 North Seymour Street, was considered. Mr. Thompson represented the petitioner and explained that there would be no change in the roof line. He did not present a sketch of the proposed enclosure. There were no objections. It was moved by Petroff, supported by Houck, that the appeal be tabled until plans are submitted.

Motion carried.

An appeal by Lester Houghten to convert open front porches into enclosed porches extending beyond established set-back line but no further than present open front porches, ordinance not permitting building beyond established set-back line at 1022 Eureka Street, was considered. The petitioner was present, there were no objections. It was moved by Boucher, supported by Mutz, that the appeal be granted, providing adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Mrs. J. D. Montgomery to convert an open front porch into an enclosed porch extending beyond established set-back line but no further than present open front porch, ordinance not permitting building beyond established set-back line at 1020 Tisdale, was considered. The petitioner was present, there were no objections. It was moved by Obrecht, supported by Rasmusson, that the appeal be granted, provided adequate footing, as determined by the Building Commissioner, is provided, under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty as it will not adversely affect the adjoining property.

Motion carried.

An appeal by Capitol Plating Company to erect an addition to building reducing front yard from 25 feet to 5 feet 6 inches, ordinance requiring 25 foot front yard because of "A" One Family Residence property abutting "I" Heavy Industrial District in the same block at 1801 Bassett Street, was considered. Mr. Robert Taylor represented the petitioner and produced the signatures of all property owners in the area consenting to this extension. He explained in detail the necessity for lengthening the building to this extension due to inadequate room in the present building for the necessary equipment to carry on this business. It was also pointed out that the property on the North side of Bassett Street is also industrially zoned. There were no objections. It was moved by Goldstein, supported by Obrecht, that the appeal be granted under (6), Section 36-12 of the Lansing Zoning Ordinance, to relieve a practical difficulty.

Motion carried.

The meeting adjourned at 8:30 P.M.

VICTOR G. LEYRER,
Secretary.

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